

Interview Summary	Application No. 10/633,725	Applicant(s) BESECKER ET AL.	
	Examiner Sherman D. Basinger	Art Unit 3617	

All participants (applicant, applicant's representative, PTO personnel):

(1) Sherman D. Basinger. (3)_____.

(2) Douglas Wathen. (4)_____.

Date of Interview: 17 February 2005.

Type: a) ☐ Telephonic b) ☐ Video Conference
c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☒ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: _____.

Claim(s) discussed: the independent attached claims faxed February 15, 2005.


Identification of prior art discussed: Schmid, Jr..

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Attached claim 3 amended as shown is tentatively allowed over the art of record. Attached claim 11 will require further consideration. Attached claim 14 is felt to be anticipated by Schmid, Jr. Applicant may try to swear back of Schmid, Jr..

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.


 SHERMAN D. BASINGER
 PATENT EXAMINER

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Part of Int Summary
of 17 February 2005

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CLAIM AMENDMENTS

1. (Canceled)

2. (Canceled)

3. (Currently Amended) A swim lift platform for attachment to a transom of a boat comprising:

a movable member having a pair of spaced apart generally vertically extended side structures and a generally horizontal platform ^{having opposite sides and being} supported at the lower ends ~~end~~ of said side structures ~~structure~~;

a mounting structure adapted to be fixed to the transom of a boat, said mounting structure including; a first pair of parallel spaced flange members ~~guide means on said mounting structure~~;

a second pair of parallel spaced guides ~~guide means~~ on said movable member formed as a pair of channel members slidably receiving said pair of flange members ~~portions of said first pair of guide means~~ to support said movable member for vertical sliding movement between a storage position in which said platform is above water level when said boat is floating in water and a lower position in which said platform is submerged;

a linear hydraulic actuator means ^{generally midway between the opposite sides of said platform and} disposed between said guides and acting between said mounting structure and said movable member for moving said movable member between said storage and lower positions; and

a control ~~means~~ for actuating said hydraulic actuator ~~means~~, said control ~~means~~ being accessible to an operator standing on said platform.

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4. (Currently Amended) The swim lift platform of claim 3 wherein said flange ~~members~~ ~~portions~~ extend away from each other and wherein said channel members each have opening portions facing each other, said open portions receiving said ~~pair of~~ flange members ~~portions~~ of said mounting structure ~~moveable member~~.

5. (Currently Amended) The swim lift platform of claim 3 wherein said moveable member has a forward wall connected to said guides ~~guide means~~ and to said platform for movement as a unit between said storage and lower ~~first and second~~ positions.

6. (Canceled)

7. (Currently Amended) The swim lift platform of claim 3 wherein said mounting structure has a transverse vertical wall and wherein said flange members ~~are first pair of guide means~~ ~~are formed by flanges~~ spaced parallel to each other and relative to said transverse wall and extending away from each other.

8. (Currently Amended) The swim lift platform of claim 7 wherein said moveable member has a forward wall and said transverse vertical wall of said mounting structure is parallel to said forward wall of said moveable member, said walls forming a chamber therebetween to house said hydraulic actuator ~~cylinder~~.

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9. (Currently Amended) The swim lift platform of claim 5 wherein said forward wall of said moveable member is formed with stationary steps.

10. (Previously Presented) The swim lift platform of claim 3 wherein said movable member includes guide ~~means for~~ hand gripping surfaces for use by a user standing on said platform.

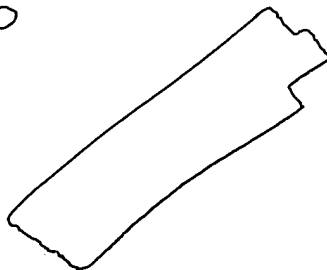
11. (New) A swim lift platform for attachment to a transom of a boat comprising:
a movable member having a pair of spaced apart generally vertically extended side structures and a generally horizontal platform supported at the lower ends ~~end~~ of said side structures ~~structure~~;

a mounting structure adapted to be fixed to the transom of a boat;

a first pair of parallel spaced guides on said mounting structure;

a second pair of parallel spaced guides on said movable member and being complementary to and engagable with said first guides to support said movable member for vertical sliding movement between a storage position in which said platform is above water level when said boat is floating in water and a lower position in which said platform is submerged; *and*

a single hydraulic actuator having a cylinder portion and rod portion extendable therefrom, one of said portions being connected to said mounting structure and the other of said portions being connected to said movable member for moving said movable member between said storage and lower positions; *and*



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12. (New) The swim lift platform of claim 11 wherein said moveable member has a forward wall connected to said second pair of guides and to said platform for movement as a unit between said first and second positions.

13. (New) The swim lift platform of claim 12 wherein said hydraulic actuator means is supported forward of said wall.

14. (New) A swim lift platform for attachment to a transom of a boat comprising:
a mounting structure adapted to be mounted to the transom of a boat, the mounting structure including a central mounting portion (64) and a first pair of spaced apart guides (44) interconnected therewith;

a platform assembly including a generally horizontal platform for supporting an operator and a second pair of guides interconnected therewith, the second pair of guides engaged with the first pair of guides to support the platform assembly for generally vertical linear movement between an upper storage position and a lower use position;

a pair of handles (34) directly interconnected with the platform assembly for generally vertically linear movement therewith; and

an actuator operable to move the platform assembly between the storage and use positions.

15. (New) The swim lift platform of claim 14 wherein the actuator is a single linear hydraulic actuator and is disposed between the first pair of guides and between the second pair of guides.

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16. (New) The swim lift platform of claim 14 wherein the platform assembly further includes a forward wall, the actuator being disposed forward of the wall.

17. (New) The swim lift platform of claim 16, wherein the actuator is a single linear hydraulic actuator and is disposed between the first pair of guides and between the second pair of guides.

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